

March 29, 1976

CLERK: Final Reading on LB 916.

(Recorder turned off for Final Reading)

SENATOR SIMPSON: The Clerk will read.

CLERK: I move to return LB 265 to Select File for the following specific amendment. Strike section 2 of the Final Reading copy. 2. Renumber original sections 3 and 4 as sections 2 and 3 respectively. Signed Senator DeCamp.

SENATOR SIMPSON: Senator DeCamp.

SENATOR DeCAMP: That was from way long ago when the bill was different. Withdraw.

SENATOR SIMPSON: Any objection. If not, it is withdrawn. The Clerk will read the bill.

CLERK: Final Reading on LB 265.

SENATOR DeCAMP: Mr. President, I apologize. I had an amendment up there. I thought it had already been taken care of a long time ago. The amendment corrects an unconstitutional problem. If we pass the bill as it is now, it is going to be unconstitutional. So I don't know if you can return it and still get it back on time but there is no use passing it the way it is. We have an Attorney General's opinion saying it is unconstitutional the way it is. I brought it up before. Then I got the opinion at the request of Senator Kremer and it does say it is unconstitutional.

SENATOR SIMPSON: You can reoffer the amendment, if you wish. Do you wish to do so at this time?

SENATOR DeCAMP: Yes.

SENATOR SIMPSON: All right. Discussion on the amendment.

SENATOR DeCAMP: The discussion is, if you don't do it, the bill is unconstitutional.

SENATOR SIMPSON: All right. Senator Kremer.

SENATOR KREMER: Mr. Chairman, Senator DeCamp is referring to section 2 on page 4 and I did agree with him that that ought to be stricken and we understood the amendment was up there. Evidently, it was not. Now, Mr. Chairman, can this be returned to Select File for a specific amendment and still get across the Board. Does it lay over?

SENATOR SIMPSON: It is possible that it could get back to Final Reading. I wouldn't want to say for sure that it was going to make it. It can come back. We can't guarantee it, though. I would assume that if we adopt the amendment, we could almost be sure that it would come back. All right. Senator DeCamp.

SENATOR DeCAMP: I move the bill be returned for this specific amendment.